

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

RESONANT SYSTEMS, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO. LTD., and  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

Defendants.

Civil Action No. 2:22-CV-00423-JRG

**JURY TRIAL DEMANDED**

**JOINT STATUS REPORT**

1. On March 8, 2024, this Court granted Samsung's Motion to Stay and ordered that this case be stayed until the PTAB issues its rulings with regard to Samsung's petitions for *inter partes* review. Dkt. 83.

2. On January 8, 2025, the PTAB issued a Final Written Decision in IPR2023-00992, which challenged claims 1–9, 11, and 14–17 in U.S. Patent No. 9,369,081. In its Final Written Decision, the PTAB found that claims 1, 2, 7, 8, 11, and 17 are unpatentable, but that claims 3–6, 9, and 14 were not unpatentable.

3. Also on January 8, 2025, the PTAB issued a Final Written Decision in IPR2023-00993, which challenged claims 1–9, 11, 14–17, 19, and 20 of U.S. Patent No. 9,941,830. In its Final Written Decision, the PTAB found that claims 1, 2, 7, 8, 11, 15–17, and 20 are unpatentable, but that claims 3–6, 9, 14, and 19 were not unpatentable.

4. In view of the forgoing, the Parties have met and conferred and agree to the following.

5. Resonant will dismiss any asserted claims that were cancelled in IPR2023-00992 and IPR2023-00993 from this lawsuit without prejudice. Should the Court of Appeals for the Federal Circuit reverse the PTAB's Final Written Decisions on any of the asserted claims, Samsung will not argue that any new lawsuit under those asserted claims are barred due to claim splitting or estoppel.

6. The Parties further note the following. Prior to the Court's March 8, 2024 Order staying this case, the Parties had completed claim construction briefing. Since that time, multiple tribunals, including this Court, have issued opinions regarding the construction of terms the Parties previously briefed. In addition to the Final Written Decisions issued in IPR2023-00992 and IPR2023-00993, parties presented claim construction arguments that resulted in claim construction rulings in the following matters:

Case No.	Matter
2:22-CV-00424-JRG (ED. Tex)	<i>Resonant Systems, Inc., et al v. Sony Group Corp., et al</i>
23-CV-00077-ADA (WD. Tex)	<i>Resonant Systems, Inc., et al v. Apple, Inc.</i>
IPR2023-01025	<i>Samsung Electronics Co. Ltd., et al v. Resonant Systems, Inc.</i>
IPR2024-00568	<i>Sony Interactive Entertainment Inc. et al. v. Resonant Systems, Inc.</i>
IPR2024-00569	<i>Sony Interactive Entertainment Inc. et al. v. Resonant Systems, Inc.</i>
IPR2024-00570	<i>Sony Interactive Entertainment Inc. et al. v. Resonant Systems, Inc.</i>
IPR2024-00697	<i>Apple, Inc. v. Resonant Systems, Inc.</i>
IPR2024-00698	<i>Apple, Inc. v. Resonant Systems, Inc.</i>
IPR2024-00806	<i>Apple, Inc. v. Resonant Systems, Inc.</i>
IPR2024-00807	<i>Apple, Inc. v. Resonant Systems, Inc.</i>
IPR2024-00808	<i>Apple, Inc. v. Resonant Systems, Inc.</i>
IPR2024-00983	<i>Apple, Inc. v. Resonant Systems, Inc.</i>

7. Because of this, the Parties to this litigation agree that supplemental claim construction briefing may be warranted. At the Court's preference, the Parties would file new/revised briefs (i.e., addressing only the terms and evidence now at issue) or supplemental briefs (i.e., supplementing the prior briefs already filed in the case). The Parties have met and conferred and propose the following schedule for supplemental briefing:

Event	Date
Plaintiff to identify asserted claims (from set of previously asserted claims that survived IPR)	Feb. 5
Exchange terms requiring constructions and/or supplemental briefing	Feb. 19
Exchange of Preliminary Claim Constructions and Extrinsic Evidence	Mar. 5
Joint Claim Construction and Prehearing Statement.	Mar. 26
Completion of Claim Construction Discovery (if any)	April 8
Plaintiff Files Opening Supplemental Claim Construction Brief)	6 Weeks Before Claim Construction Hearing
Defendants Files Responsive Supplemental Claim Construction Brief	4 Weeks Before Claim Construction Hearing
Plaintiff Files Supplemental Reply Claim Construction Brief	3 Weeks Before Claim Construction Hearing
Parties Submit Updated/Revised P.R. 4-5(d) (Joint Claim Construction Chart)	2 Weeks Before Claim Construction Hearing
Proposed Markman Hearing Date	June 2, 2025 (or as soon thereafter as the Court is available).

8. Upon confirmation of the Markman hearing date and trial date, the Parties will meet and confer and submit a proposed Docket Control Order 14 days after the Court provides these dates.

Dated: January 28, 2025

/s/ Jin-Suk Park

Jin-Suk Park  
jin.park@arnoldporter.com  
**ARNOLD & PORTER KAYE  
SCHOLER LLP**  
601 Massachusetts Ave., NW  
Washington, D.C. 20001-3743  
Telephone: (202) 942-5000

Melissa R. Smith  
Texas Bar No. 24001351  
melissa@gillamsmithlaw.com  
**GILLAM & SMITH LLP**  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450

Andrew T. ("Tom") Gorham  
Texas Bar No. 24012715  
tom@gillamsmithlaw.com  
**GILLAM & SMITH LLP**  
102 North College Avenue, Suite 800  
Tyler, Texas 75702  
Telephone: (903) 934-8450

Kevin Cosgrove  
kevin.cosgrove@arnoldporter.com  
**ARNOLD & PORTER KAYE  
SCHOLER LLP**  
Three Embarcadero Center, 10<sup>th</sup> Floor  
San Francisco, California 94111-4024  
Telephone: (415) 471-3100

Daniel S. Shimell  
Daniel.shimell@arnoldporter.com  
**ARNOLD & PORTER KAY  
SCHOLER LLP**  
777 South Figueroa Street, 44<sup>th</sup> Floor  
Los Angeles, California 90017-5844  
Telephone: (213) 243-4000

*Attorneys for Defendants*

Respectfully submitted,

/s/ Paul A. Kroeger

Reza Mirzaie  
California Bar No. 246953  
rmirzaie@raklaw.com  
Kristopher Davis  
California Bar No. 329627  
kdavis@raklaw.com  
Christian W. Conkle  
California Bar No. 306374  
cconkle@raklaw.com  
Jason Wietholter  
California Bar No. 337139  
jwietholter@raklaw.com  
Paul A. Kroeger  
California Bar No. 229074  
kroeger@raklaw.com  
Qi Tong  
California Bar No. 330347  
ptong@raklaw.com  
**RUSS AUGUST & KABAT**  
12424 Wilshire Blvd. 12th Floor  
Los Angeles, CA 90025  
Phone: (310) 826-7474  
Facsimile: (310) 826-6991

*Attorneys for Plaintiff  
Resonant Systems, Inc. d/b/a RevelHMI*

*Samsung Electronics Co., Ltd. and  
Samsung Electronics America, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on January 28, 2025, all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).